

Summary Notes		Department of Health Office of Environmental Health & Safety <i>School Rule Development Committee Meeting</i> <i>June 15, 2005</i>	
Facilitator	Mark Soltman	Note Taker(s):	Nancy Bernard, Bobbi Berry, Meliss Maxfield, Ned Therien
Attendees:	Thelma Simon, parent alternate; Mark Cooper, Parent; John Wolpers, EHD, Eastside; Corinne Story, EHD, Westside; Brenda Hood, OSPI; John Richards, OSPI alternate; Julie Awbrey, EH Eastside; Dave DeLong, EH Westside (gone 10-1); Greg Bawden, WSSDA, alternate; Eric Dickson, WASBO alternate; Mike Gawley, WEA; Bill Chaput, CEFPI; Paul Clark, WAMOA alternate; Karen Van Dusen, UW EH&S (PM); Mary Sue Linville, WASBO (PM)  Staff: Maryanne Guichard (AM); Mark Soltman; Ned Therien; Kelly Cooper (AM); Tim Hardin; Nancy Bernard; Meliss Maxfield, Bobbi Berry (PM)		
Absentees:	Janice Doyle, SNOW; Mary Sue Linville, WASBO; Jim Kerns, WASBO alternate; Diane McMurray, WSPTA; Ed Foster, WFIS; June Sine, WSSDA; Gary Jefferis, WAMOA		
Guests:	Gus Ripple, Archdiocese of Seattle; Maria Mason, Coalition for Environmentally Safe Schools; Valdo Lallemand, Parent (AM); Susan Titus, EPA; Rachael Hogan, parent (AM); Rep. Marilyn Chase (AM); Jennifer Aspelund (parent); Denise Frisino (teacher)		
AGENDA ITEM		DISCUSSION	
<b>Welcome &amp; Introductions</b> Desired Outcomes: Review agenda & events of the day		-No changes to the draft summary notes from 5-31.	
AGENDA ITEM		DISCUSSION	
<b>Operate &amp; Mainain Schools Effectively - Drinking Water</b> Proposal #16: Consolidated Proposal for Copper  Proposal #17: Consolidated Proposal for Cadmium  Proposal #18: Consolidated Proposal for total Coliform  Proposal #19: Consolidated Proposal for Legionella  Proposal #20: Consolidated Proposal for Iron, Manganese, Color, Zinc, Turbidity, & Total Dissolved Solids  Proposal #21:		<ul style="list-style-type: none"> <li>- <b>#16 &amp;17</b> are very similar. Should they be combined? Decided not to.</li> <li>- Copper: 7 out of 200 samples in Seattle Public Schools with elevated levels due to illegal grounding using the copper water pipe.</li> <li>- Generally do not see elevated copper levels.</li> <li>- Epoxy pipe: when should the sampling be done? Not identified in proposal, would need to access for the guidance. Reference to Jack Tinnea's paper sent out to the SRDC. Concern with use of these epoxy liners in small diameter pipes, which have not been tested for safety. NFS certifies for larger pipe diameters than schools need.</li> <li>- Note was made that the workgroup unanimously supported the copper and cadmium proposals.</li> <li>- After initial sampling and correction of identified problems, routine sampling may not be necessary.</li> <li>- Note was made that the workgroup did not have unanimous agreement about the frequency of sampling for copper and cadmium. The proposals provide flexibility for DOH to determine.</li> <li>- Public Comment: Person's child experienced daily stomach aches and cramping after school when he started first grade. He felt OK the next morning. He suffered many evenings so much that he could not eat supper; thought to be related to high copper levels in the school water.</li> <li>- Access to information about water sampling and availability of laboratories could help the schools.</li> <li>- Public Comment: Person's child exhibited decrease of cognitive abilities when she started school. After spending \$10,000 on diagnosis, she was found to have high copper accumulated in her body (hair testing).</li> <li>- Coliform: sampling if a complaint/concern. ~12 positive samples in SPS</li> </ul>	

<p>Consolidated Proposal for Remediating Drinking Water Pipes with Epoxy Liners</p>	<p>found, generally from X-contamination.</p> <ul style="list-style-type: none"> <li>- Legionella: Mark C: handout on bio-films. Legionella is chlorine resistant.</li> <li>- If turbid or high in iron (rust), evidence of corrosion, would indicate need for sampling. There is low probability of getting it through a drinking water fountain.</li> <li>- Communicable disease WACs already addresses this issue.</li> <li>- Iron, Manganese, Color, Zinc, Turbidity, &amp; TDS (secondary contaminants, not considered a health risk):</li> <li>- Recommendations from the Safe Drinking Water Act. There is a WAC code on secondary contaminants that applies to schools with their own water supplies. Corrections based on feasibility. If these signs are present, there may be an ongoing problem present – corrosion: biofilms / Legionella, pipes burst with corrosion, etc.</li> <li>- Iron-forming bacteria – food source for pathogens like Legionella that are resistant to chlorine. High iron – potential toxicity for students with blood transfusions, chemo, etc.</li> </ul> <p><b>Proposal #18</b></p> <ul style="list-style-type: none"> <li>- Note was made that bacterial contamination of water in schools comes from improper backflow prevention.</li> </ul> <p><b>Proposal # 19</b></p> <ul style="list-style-type: none"> <li>- Note was made of research about biofilms in water pipes. This could include Legionella bacteria, which are chlorine resistant. Indicators of increased probability of Legionella colonization are pipe corrosion.</li> <li>- Legionella has been found in water systems in Maryland. England has an active testing program for it in school water systems.</li> <li>- There was discussion (disagreement) whether turbidity was an indicator.</li> </ul> <p><b>Proposal #20</b></p> <ul style="list-style-type: none"> <li>- Aesthetic issues in water are not required to be tested for by EPA rules. The constituents/parameters in this proposal can be tested for easily.</li> <li>- The proposal does not include a requirement for testing for these in all schools, just where indicated.</li> <li>- These constituents are not themselves harmful. They indicate pipe corrosion and colonization of the pipes with biofilms that might have Legionella.</li> <li>- Public comment: certain medical conditions make people susceptible to high iron levels in water that can cause toxicity problems.</li> <li>- Costs for laboratories vary depending on quantity of specific tests done by the laboratory.</li> </ul> <p><b>Proposal #21</b></p> <ul style="list-style-type: none"> <li>- How long do epoxy liners leach chemicals after application? Benzene and other organics have been found to leach for up to a year from the liners. Usually such liners are used for large pipes. The use in smaller pipes is a technique that the workgroup thought should be monitored.</li> <li>- <b>Comments from Representative Marilyn Chase:</b></li> <li>- She is supportive of the work of the SRDC. She was not pleased how a school district responded to some aesthetic problems with her granddaughter's school water. She said she would like to see proposals in rule, because she does not feel the school districts will follow guidelines.</li> </ul>
ACTION	

	SRDC Recommendation 16:	# Voting	GRN	YEL	RED
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	Recommend to DOH that SRDC Proposal # 16 be addressed in <b>RULE</b> .	15	8	6	1
	Recommend to DOH that SRDC Proposal # 16 be addressed in <b>GUIDANCE</b>	15	8	6	1
	<b>SRDC Recommendation 17:</b>	<b># Voting</b>	<b>GRN</b>	<b>YEL</b>	<b>RED</b>
	Recommend to DOH that SRDC Proposal # 17 be addressed in <b>RULE</b> .	15	8	6	1
	Recommend to DOH that SRDC Proposal # 17 be addressed in <b>GUIDANCE</b>	15	8	6	1
	<b>SRDC Recommendation 18:</b>	<b># Voting</b>	<b>GRN</b>	<b>YEL</b>	<b>RED</b>
	Recommend to DOH that SRDC Proposal # 18 be addressed in <b>RULE</b> .	15	5	8	1
	Recommend to DOH that SRDC Proposal # 18 be addressed in <b>GUIDANCE</b>	15	10	5	0
	<b>SRDC Recommendation 19:</b>	<b># Voting</b>	<b>GRN</b>	<b>YEL</b>	<b>RED</b>
	Recommend to DOH that SRDC Proposal # 19 be addressed in <b>RULE</b> .	15	7	3	5
	Recommend to DOH that SRDC Proposal # 19 be addressed in <b>GUIDANCE</b>	15	7	8	0
	<b>SRDC Recommendation 20:</b>	<b># Voting</b>	<b>GRN</b>	<b>YEL</b>	<b>RED</b>
	Recommend to DOH that SRDC Proposal # 20 be addressed in <b>RULE</b> .	15	4	5	6
	Recommend to DOH that SRDC Proposal # 20 be addressed in <b>GUIDANCE</b>	15	9	6	0
	<b>SRDC Recommendation 21:</b>	<b># Voting</b>	<b>GRN</b>	<b>YEL</b>	<b>RED</b>
	Recommend to DOH that SRDC Proposal # 21 be addressed in <b>RULE</b> .	15	10	4	1
	Recommend to DOH that SRDC Proposal # 21 be addressed in <b>GUIDANCE</b>	15	7	8	0

Break - 10:10 am	
AGENDA ITEM	DISCUSSION
Oversee & Assure School Facility Health & Safety Principles are Applied Proposal #22: Trained, Certified, & Skilled Workforce	<ul style="list-style-type: none"> <li>- Current laws/rules do not require training in pediatric CPR, just basic adult training.</li> <li>- Current laws/rules do not require any first aid training for playground monitors.</li> <li>- Instead of complicated rules on different training required for teachers of specific subjects, the rules should be general. The specific training that is appropriate should be determined outside of rule.</li> <li>- When teachers who take kids on field trips, and bus drivers do not stick around, there could be no one with first aid training. Teachers should be</li> </ul>

	<p>required to have it in such situations.</p> <ul style="list-style-type: none"> <li>- First aid training needs to be from a certified trainer. On-line training for first aid, and certainly for CPR, would not be appropriate.</li> <li>- Safety training has been very well received in the past.</li> <li>- 22C – Suggest that the first sentence should be moved to be the second sentence of 22B. The hazardous material training should probably stand alone. Agreed.</li> <li>- Question about how phrase “special education” got in 2B. The SRDC agreed to delete the phrase.</li> <li>- The first sentence in 22C is not clear. It would add clarity if moved to 22B.</li> <li>- L&amp;I rules require at least one person at a work site at all times trained in first aid.</li> <li>- Move longest statement of 22B to be a separate item to vote on. Agreed.</li> <li>- Local health jurisdictions can respond to the differences in complexity of schools better than having general requirements for school inspectors set in DOH rule. The counter-point is that basic training requirements for local inspectors should be set by DOH.</li> <li>- Public Comment: Person’s child is at increased risk for choking. When school nurse is not in building, there is no one properly trained to respond.</li> <li>- Public Comment: Experience with sniper in community and lock-down of school showed lack of preparedness of what to do. Lack of emergency preparedness, safety committees, CPR training is common in schools. These should be required...maybe by requiring safety committees to address these issues.</li> <li>- Lack of full-time nurses results in parent volunteers trying to fill in. However, there are no requirements for training.</li> <li>- Vocational Ed teachers in junior highs are not required to have the same level of training in safety as high school Voc Ed teachers.</li> </ul>				
<b>ACTION</b>					
	<b>SRDC Recommendation 22A:</b>	<b># Voting</b>	<b>GRN</b>	<b>YEL</b>	<b>RED</b>
	Recommend to DOH that SRDC Proposal # 22A be addressed in <b>RULE</b> .	14	8	5	1
	Recommend to DOH that SRDC Proposal # 22A be addressed in <b>GUIDANCE</b> .	14	6	8	0
	<b>SRDC Recommendation 22B:</b>	<b># Voting</b>	<b>GRN</b>	<b>YEL</b>	<b>RED</b>
	Recommend to DOH that SRDC Proposal # 22B be addressed in <b>RULE</b> .	14	10	2	2
	Recommend to DOH that SRDC Proposal # 22B be addressed in <b>GUIDANCE</b> .	14	3	10	1
	<b>SRDC Recommendation 22C:</b>	<b># Voting</b>	<b>GRN</b>	<b>YEL</b>	<b>RED</b>
	Recommend to DOH that SRDC Proposal # 22C be addressed in <b>RULE</b> .	14	11	2	1
	Recommend to DOH that SRDC Proposal # 22C be addressed in <b>GUIDANCE</b> .	14	5	8	1
	<b>SRDC Recommendation 22D:</b>	<b># Voting</b>	<b>GRN</b>	<b>YEL</b>	<b>RED</b>
	Recommend to DOH that SRDC Proposal # 22C be addressed in <b>RULE</b> .	14	11	2	1
	Recommend to DOH that SRDC Proposal # 22C be addressed in <b>GUIDANCE</b> .	14	4	10	0
<b>AGENDA ITEM</b>	<b>DISCUSSION</b>				

<b>Oversee &amp; Assure School Facility Health &amp; Safety Principles are Applied</b> Proposal #23: Safety Hazards & Exposures in Special Use, Storage, & Athletic Areas	<ul style="list-style-type: none"> <li>- Note was made that this proposal was agreed to unanimously by the workgroup.</li> <li>- Note was made that about ¼ of students participating in sports had serious injuries, with baseball being the worst.</li> <li>- Discussion about some confusion about what was included in proposal.</li> </ul>
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ACTION					
	<i>SRDC Recommendation 23:</i>	# Voting	GRN	YEL	RED
	Recommend to DOH that SRDC Proposal # 23 be addressed in <i>RULE</i> .	14	11	2	1
	Recommend to DOH that SRDC Proposal # 23 be addressed in <i>GUIDANCE</i>	14	4	10	0

AGENDA ITEM	DISCUSSION
<b>Oversee &amp; Assure School Facility Health &amp; Safety Principles are Applied</b> Proposal #24: Rule Development Frequency	No pertinent discussion of this proposal.

ACTION					
	<i>SRDC Recommendation 24:</i>	# Voting	GRN	YEL	RED
	Recommend to DOH that SRDC Proposal # 24 be addressed in <i>RULE</i> .	13	13	0	0
	Recommend to DOH that SRDC Proposal # 24 be addressed in <i>GUIDANCE</i>	No vote needed			

AGENDA ITEM					
<b>Oversee &amp; Assure School Facility Health &amp; Safety Principles are Applied</b> Proposal #25: Guidance	<ul style="list-style-type: none"> <li>- Guidelines have not been enforceable and have not been followed by schools and local health jurisdictions.</li> <li>- If the SRDC votes in support of rules requiring DOH develop guidance documents, it may decrease resources to enforce the actual rules.</li> <li>- Guidance can be useful to parents and school districts trying to figure out the best way to deal with problems.</li> <li>- Discussion on how this gets prioritized by DOH in development of this guidance. If it's in rule to develop this guidance – increases prioritization.</li> <li>- Administrators need guidance, and need to know that they're available. They need to not waste time and money trying to find resources and guidance that they need.</li> </ul>				

ACTION					
	<i>SRDC Recommendation 25:</i>	# Voting	GRN	YEL	RED
	Recommend to DOH that SRDC Proposal # 25 be addressed in <i>RULE</i> .	13	7	6	0
	Recommend to DOH that SRDC Proposal # 25 be addressed in <i>GUIDANCE</i>	13	8	3	2

AGENDA ITEM					
Lunch- 12:15 - 1:05					

AGENDA ITEM	
<p><b>Dori Jaffe, Assistant Attorney General, Agriculture &amp; Health State Board of Health Rules &amp; Authority, Question &amp; Answer Session</b></p>	<ul style="list-style-type: none"> <li>- Mark Soltman lets the committee know that there will be a meeting on July 12 (at one point being tentative); Also, Dori Jaffe, the Assistant Attorney General, will be joining us to explain who has what authority over each issue regarding the proposals. This afternoon will consist of hanging the “issues” that still exist on the wall on sheets of paper then each member and or alt will post sticky dots next to each proposal that they believe should have the highest level of importance.</li> <li>- Dori Jaffe: Assistant Attorney General: explains the various agencies and their roles in the school safety rules. Ms. Jaffe will refer to a presentation she will show to the SRDC: “Who is Involved with School Health Safety” (power point attached)</li> <li>- Discussion:</li> <li>- State Board of Education acronym is SBE, <u>not</u> SBOE.</li> <li>- The Federal government can not impose certain laws on the states.</li> <li>- OSPI is more involved with policy making not in the rule making.</li> <li>- How can the SBOH enforce other departments to follow through with certain codes? How can they work better with DOH or OSPI? RCW 43.20.050 (4) requires all agencies to enforce PH WACs.</li> <li>- If LBOH doesn’t act on specific emergencies, the secretary of DOH then can step in and prevent public health from being harmed.</li> <li>- SBOH rules have to be enforced by the LHJ but OSPI rules are not enforced by LHJ.</li> <li>- Maybe should propose amending the WAC to fill in the gray issues due to the fact there isn’t a specific enforcement section in this specific WAC.</li> <li>- One of the problems is that there are large differences between health departments.</li> <li>- Public Comment: It would be wonderful to have the RCWs and WACs, but in reality you get passed on from one agency to the next and then can only rely on the media. These WACs need enforcement information added to them definitely to help people understand who they should be reporting problems to.</li> <li>- Sometimes the questions that are asked by the public aren’t always the “right” questions, therefore, not getting the information needed to help with the issue</li> </ul>

Break - 2:20 - 2:30 pm	
AGENDA ITEM	DISCUSSION
<p><b>Outstanding Topics Not Addressed by the Technical Workgroups Brainstorming &amp; Prioritization by SRDC</b></p>	<ul style="list-style-type: none"> <li>- At this time the committee will be identifying the outstanding topics not addressed by the workgroups. Asking the committee to stay specific to each issue. There is a piece of paper hanging on the wall for each issue presented by DOH staff. 5 most important topics is the goal.</li> <li>- Nancy Bernard: Referring to the hand out with the outstanding topics explains each topic</li> <li>- Comments taken from the committee regarding the outstanding topics:</li> <li>- Charter schools (if we were to have them in the state, we do not at this time) are exempt from complying with most rules and regulations, does that apply to the health and safety rules?</li> <li>- Nancy Bernard: Usually there is no exemption for H&amp;S</li> <li>- Will we be including tutoring, Home School or ECAP?</li> <li>- At this point no. We would need to interact with DSHS because it is there jurisdiction.</li> <li>- Committee member has walked thru the DSHS inspection and believes it to be very thorough</li> </ul>

	<ul style="list-style-type: none"> <li>- Committee member states that their LHJ inspects water and sewer only; DSHS does the rest</li> <li>- There are a lot of preschools within the elementary schools and think that they should be included in the WAC.</li> <li>- Sometimes the preschools rent the space in k-12 schools so it should be included in the k-12 WACs</li> <li>- Moving on to the parking lot issues; there aren't any state requirements at this time for school health rooms.</li> <li>- Committee member would like number 4 to have an appeals pathway added to the list</li> <li>- Committee member asked if proposal 8a (not voted on earlier) can now be included to this list</li> <li>- OSPI asks: so you are saying that we can bring back any proposal that we have already voted on?</li> <li>- Mark Soltman answers: No, proposal 8a was not voted on, but tabled; therefore we will allow only this proposal to be added to the topics not yet addressed.</li> <li>- Public Comment: Procedures for schools for IAQ problems (number 4); would like a clear cut process of who they need to contact that would help parents and teachers out.</li> <li>- Now handing out 5 sticky dots to each member or alternate to stick on each outstanding issue that the members choose as their top five most important outstanding issues they would like addressed by DOH.</li> <li>- Referring to issue number 1; member would like to add a state wide mandated functional performance test. Example: when a person turns on the hot water it should have hot water at a specific degree in a specific amount of time. A mandated performance test would make sure that the design would be more accurate so it would make the specifics like the hot water example happen.</li> <li>- Nancy Bernard: should be a whole different issue; maybe issue 8</li> <li>- There should be some sort of standards that are available that we can go from that are possibly already written up that could be incorporated or is this something that needs to be drawn up from scratch</li> <li>- Committee member responds: It would be a job of assembly from each school, SBOH, school standards, ASHRAE standards, etc. At the completion of construction, the commissioning should be to the standard at which you think is should be.</li> <li>- How does this differ from commissioning process?</li> <li>- Commission it from the standards that exist instead of the contract because maybe it doesn't meet the design standards.</li> <li>- Is it a composite of all of the standards and how does that differ from the WA Sustainable Schools? Looking for a list of all the school standards in on one list</li> <li>- Mark Soltman: adding a number 8 to the outstanding topics list – “Develop of functional performance standards”</li> <li>- Request from Committee member: please move item 7c and 7d to item eight as well</li> <li>- Mark Soltman: please show green cards for your support on this change.</li> <li>- Sufficient approval shown</li>   <li>- The choices by the Committee for the Outstanding Issues begun at: 3:30</li> </ul>
<b>ACTION</b>	<p>Mark Soltman: we will review the outstanding topics at the June 28 Meeting and proposals to forward to DOH at the July 12 meeting and many thanks to the committee for all their hard work.</p>

<b>Meeting Debrief</b> Desired outcome: recap decisions made, identify what worked well today and what improvements can be made	
<b>HANDOUTS</b>	
1. Agenda 2. AAG's Power Point 3. Draft summary notes from 5-31 4. Consolidated proposals from the technical workgroups with SRDC changes and voting from 5-17 & 5-31	Adjourn: 3:50 PM Next meeting: Tuesday June 28, 2005, 9 AM - 4 PM Fife School District - Administration Center